

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DAVITA M. KEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:19-CV-767-ECM
	)	
HYUNDAI MOTOR	)	
MANUFACTURING, ALABAMA,	)	
LLC; HYUNDAI ENG AMERICA,	)	
INC.; and DYNAMIC SECURITY,	)	
INC.	)	
	)	
Defendants.	)	

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**EXHIBIT “C” TO**

**PLAINTIFF’S OBJECTIONS TO DYNAMIC SECURITY INC.’S**

**DEPOSITION DESIGNATIONS**

**RAY CURETON**

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Case	Key, Davita
Issue Code	Dynamic Designation

CURETON, RAY 8/30/22 VOL 1		
1	009:18 - 009:21	<p>009:18 Q. Mr. Cureton, could you please state</p> <p>19 and spell your name for the record?</p> <p>20 A. Yes, my name is Ray H. Cureton, last</p> <p>21 name C-u-r-e-t-o-n.</p>
2	012:12 - 012:17	<p>012:12 Q. Where do you currently work?</p> <p>13 A. I am a minister of the Presbyterian</p> <p>14 Church of America, and I have a part-time church</p> <p>15 where I preach on Sundays down in Clayton,</p> <p>16 Alabama, which is about an hour and a half south</p> <p>17 of Montgomery.</p>
3	014:19 - 015:13	<p>014:19 Q. Okay. All right. Let's talk about</p> <p>20 your employment with Dynamic Security since</p> <p>21 that's why we're here today. When did you start</p> <p>22 with Dynamic Security?</p> <p>23 A. I think it was August 1st of 2016, I</p> <p>015:01 think.</p> <p>02 Q. Okay. And what was your position?</p> <p>03 A. I was a manager down in Montgomery.</p> <p>04 I want to say operations manager at first. I</p> <p>05 started out as the operations manager.</p> <p>06 Q. Okay. And you say at first.</p> <p>07 A. Uh-huh (positive response).</p> <p>08 Q. Did that change?</p> <p>09 A. It did. I was promoted part way</p> <p>10 through, and I don't know the dates about when</p> <p>11 that happened, but -- and I was made the -- I'm</p> <p>12 trying to think, remember what it was called. It</p> <p>13 was district manager. I think that was right.</p>
4	017:01 - 017:03	<p>017:01 MR. REDMOND: Object to the form.</p> <p>02 MS. BROWN: Object to the form.</p> <p>03 MR. MILLER: Same objection.</p>
5	017:09 - 017:18	<p>017:09 Q. Yes, sir. The line that I pointed</p> <p>10 you to there, that operations manager is required</p> <p>11 for Hyundai contract, do you know what that's in</p> <p>12 reference to?</p> <p>13 MR. REDMOND: Object to the form.</p>

		<p>14 MS. BROWN: Same objection.</p> <p>15 MR. MILLER: Same objection.</p> <p>16 A. As far as I understand, that part of</p> <p>17 my responsibility would be supervising the major</p> <p>18 contract at the time, which was at Hyundai.</p>
6	019:12 - 019:14	<p>019:12 consultation with Cassandra Williams, who was the</p> <p>13 head of security out there for Hyundai at the</p> <p>14 time, and still is.</p>
7	034:22 - 043:20	<p>034:22 Q. Okay. And over on to the next page,</p> <p>23 at the top right after the phone number, it says,</p> <p>035:01 You should not be concerned, threatened, or</p> <p>02 fearful of retaliation for making a report</p> <p>03 pursuant to this policy. Do you see that?</p> <p>04 A. Yes.</p> <p>05 Q. So did you as an operations manager</p> <p>06 receive any type of training related to accepting</p> <p>07 complaints?</p> <p>08 A. Yes.</p> <p>09 Q. Okay. Did you receive any type of</p> <p>10 training related to retaliation for complaints?</p> <p>11 A. Yes.</p> <p>12 Q. What type of training did you</p> <p>13 receive?</p> <p>14 A. Well, it was actually online training</p> <p>15 that was provided by Dynamic Security. I don't</p> <p>16 remember the name of it. I mean, it's been five</p> <p>17 years. I don't remember. Six years since I had</p> <p>18 that training probably.</p> <p>19 But it's pretty standard. I mean,</p> <p>20 I've worked all my life with these kind of</p> <p>21 things, and it's pretty standard training on the</p> <p>22 subject that we're talking about.</p> <p>23 Q. Is that one of those like click</p> <p>036:01 through trainers?</p> <p>02 A. Yes, it is.</p> <p>03 Q. Did they ask you questions that you</p> <p>04 have to answer?</p> <p>05 A. Yes.</p> <p>06 Q. How often would you complete that</p> <p>07 training?</p> <p>08 A. Annually.</p> <p>09 Q. Did you -- so you started with</p>

10 Dynamic in 2016 and left in 2017. Did you do the  
11 training twice or just once while you were there?

12 A. I don't remember. I don't remember  
13 if it was twice or once.

14 Q. And then back to the handbook, the  
15 next sentence down says, Any supervisor to whom a  
16 report of alleged harassment is made should  
17 immediately notify their manager and conduct a  
18 full and detailed investigation.

19 So when you received complaints, did  
20 you immediately notify the manager?

21 A. Yes, of course.

22 Q. Who was your manager?

23 A. Mike Keller was my manager, but also  
037:01 we would notify HR directly. And I don't  
02 remember her name, but we did bring HR on right  
03 away.

04 And also, the folks knew they could  
05 contact HR directly themselves if they weren't  
06 satisfied with our response.

07 Q. So did you notify Mike Keller and HR  
08 or just HR?

09 A. Both.

10 Q. Both? What type of detailed  
11 investigation would you conduct?

12 A. Well, I would talk to the supervisor,  
13 which would have been Gloria Robinson in this  
14 case, and gotten her -- information from her on  
15 the complaint.

16 I would have taken any statements of  
17 any kind of witnesses that would have been  
18 involved. I would have talked with Ms. Key about  
19 what her perception was on all of this, what was  
20 going on, what her complaint was.

21 I would have forwarded all of that to  
22 HR, because they're ultimately going to take  
23 point on these kinds of things when it gets to  
038:01 the place where I'm having to make an  
02 investigation.

03 So I just try to get the facts as  
04 quickly as I can and get them into the hands of  
05 people that can follow up with it.

06 Q. Okay. So did you make any decisions

07 related to whether an employee -- and I'm  
 08 speaking generally, not just Ms. Key, but did you  
 09 make any decisions as to whether employees had  
 10 been harassed or discriminated against as part of  
 11 that investigation?

12 MS. BROWN: Object to the form.

13 MR. MILLER: Object to the form.

14 MR. REDMOND: Same objection to form.

15 A. I have opinions, but no decisions at  
 16 this point. I'm not the one that ultimately  
 17 would say, You're fired, because -- well, I might  
 18 be. They may -- HR may come back and say -- but  
 19 normally HR would handle that themselves if they  
 20 find malfeasance going on in any situation like  
 21 that.

22 Q. Okay. All right. And I'm going to  
 23 show you Plaintiff's Exhibit 30.

039:01 MR. REDMOND: Actually, I think this  
 02 is 31.

03 MS. PALMER: 31. It is 31.

04 A. You have to pass it through him  
 05 first, right?

06 Q. (BY MS. PALMER:) Okay. So this is  
 07 another Dynamic Security document, and I know  
 08 it's hard to read, but at the top it says  
 09 Harassment in the Workplace. And I believe this  
 10 one is from Ms. Key's personnel file.

11 Does this document contain any  
 12 additional policies outside of what we looked at  
 13 in the handbook or is it just sort of a  
 14 restatement?

15 MR. REDMOND: Object to the form.

16 A. I don't know if -- I mean, I would  
 17 have to compare the two myself to be able to  
 18 answer that fully. I would think it's simply a  
 19 restatement of the policy.

20 Q. So if you'll look for me, we've got  
 21 some headings, and we're under the policy  
 22 heading, the last paragraph, the second sentence.  
 23 Let's go four lines down, the first word is Any.

040:01 Do you see that, Any employee?

02 A. Yes.

03 Q. So any employee engaging in such

04 conduct will be subject to appropriate  
05 disciplinary action, up to and including  
06 termination of employment.

07 While you were the operations  
08 manager, did you have to discipline or terminate  
09 any employee under this policy?

10 A. Not that I recall.

11 Q. Would you as a manager go through  
12 additional training that the security officers  
13 didn't go through?

14 A. That would be correct. That's what  
15 the training that we talked about before from  
16 Dynamic online would be additional training to  
17 what a security officer would receive.

18 Q. Okay. So what training would the  
19 security officers receive related to harassment  
20 in the workplace?

21 MS. BROWN: Object to the form.

22 A. They would be briefed during their  
23 normal training by the trainer on the policies  
041:01 for the company and what their options were and  
02 always told what the chain of command is, who  
03 they can call, the fact that they can call HR  
04 directly, and there's always a hotline for them  
05 to call so that they don't have to go through the  
06 chain. They can go directly to HR, but they know  
07 who they can contact.

08 And as far as what the -- what  
09 constitutes harassment, they are told about that  
10 as well, and several other items in that realm,  
11 yeah.

12 Q. Were they told what constituted  
13 discrimination?

14 A. Yes.

15 Q. And retaliation?

16 A. Yes.

17 Q. Were they told to ask for the  
18 policies?

19 A. I really don't know what -- I mean,  
20 they were given the policies. I mean, they were  
21 given the handbook. They were given the  
22 training. So I don't know what you mean by that.

23 Q. Okay. So they were given that

042:01 handbook that we looked at?

02 A. Yes.

03 Q. And they were -- the training that

04 they were given, was that just verbal?

05 A. Well, it was, I think, for Dynamic,

06 we had videos that they showed for the training,

07 and I don't know if they still do, but they did

08 at that time. And, of course, you would have

09 this paper that explains the policy that they

10 sign.

11 Q. Okay. I'm going to show you

12 Plaintiff's Exhibit 44.

13 MS. PALMER: I'm sorry, Wes.

14 MR. REDMOND: I'm familiar with it.

15 Q. (BY MS. PALMER:) If you'll flip

16 through that for me, real quick. I just have a

17 couple of questions for you.

18 A. Okay. Uh-huh (positive response).

19 Q. So Exhibit 44 is a printout of an

20 EEOC PowerPoint. Have you seen that PowerPoint

21 before?

22 MS. BROWN: Object to the form.

23 A. I think so, yes. It looks familiar.

043:01 Q. Would that have been included in that

02 manager training that you were talking about?

03 A. It would have been. This -- I'm

04 trying to think if this may have even been

05 included as part of the officers' training at

06 some point. I don't know that for sure. I don't

07 know. I don't know for sure, but, yeah, this is

08 very familiar, and I have seen it before.

09 Q. And it may have been provided to

10 officers? You're just not sure?

11 A. Yeah. I don't know, because like I

12 said, I didn't do the training for the officers

13 fully. That wasn't my place or position at the

14 time. I oversaw the whole operation to make sure

15 it was done, and it may be where I've seen it is

16 just going through that material with them.

17 And sometimes I'd go in and sit in on

18 the sessions to see that they were covering

19 everything they're supposed to. But I can't give

		20 you any more than that on that. I don't know.
8	044:04 - 045:19	<p>044:04 Q. (BY MS. PALMER:) Have you seen the</p> <p>05 documents included in Exhibit 52, Mr. Cureton?</p> <p>06 A. I have not seen these specific ones.</p> <p>07 But, of course, this is a June 2020 revision, so</p> <p>08 what I would have seen would have been older.</p> <p>09 But we had a policy book that had lots of these</p> <p>10 kinds of policies in them.</p> <p>11 Q. If you'll flip for me, I think the</p> <p>12 older ones are included in there.</p> <p>13 A. Okay. All right. Yes, then I would</p> <p>14 have seen -- yep, that looks correct as to form.</p> <p>15 Now, you know, they would have been in that</p> <p>16 policy book.</p> <p>17 Q. What is the policy book?</p> <p>18 A. Well, it's a Dynamic Security</p> <p>19 publication that was sent to all managers that</p> <p>20 explains what the policies are for various and</p> <p>21 sundry items that we're responsible for.</p> <p>22 You know, at the time it was -- it</p> <p>23 included these kinds of policies of the EEOC and</p> <p>045:01 other.</p> <p>02 Q. So the policy book would not have</p> <p>03 been provided to the security officers?</p> <p>04 A. No, no. However, some of the</p> <p>05 information from the policy book would be</p> <p>06 included. In other words, they didn't get the</p> <p>07 policy book, but they would have gotten a lot of</p> <p>08 information that was in the policy book, if that</p> <p>09 makes sense.</p> <p>10 Q. Okay. When we were talking earlier</p> <p>11 about the post instructions, you said that those</p> <p>12 would be agreed on by both parties?</p> <p>13 A. Yes.</p> <p>14 Q. Would that include attire?</p> <p>15 A. Well, the attire is dictated by the</p> <p>16 client, not by Dynamic Security. And that's, I</p> <p>17 think, important in this kind of case.</p> <p>18 Q. Do you remember what the attire was</p> <p>19 for the mailroom at HMMA's property?</p>
9	048:15 - 049:04	<p>048:15 Q. Let me show you Plaintiff's Exhibit</p> <p>16 9.</p>



		<p>17 A. Uh-huh (positive response).</p> <p>18 Q. Have you seen this document before?</p> <p>19 A. It certainly looks similar to what</p> <p>20 I've seen before.</p> <p>21 Q. You said similar. Can you tell me</p> <p>22 what you've seen before, if it's not this one</p> <p>23 exactly?</p> <p>049:01 MR. REDMOND: Let me see it. What</p> <p>02 number is that?</p> <p>03 MS. PALMER: 9.</p> <p>04 THE WITNESS: 9, yeah.</p>
10	049:09 - 051:19	<p>049:09 A. This is the policy that I understood</p> <p>10 was in place at the time I was supervising our</p> <p>11 personnel at Hyundai, if that answers your</p> <p>12 question.</p> <p>13 Q. So I understand that you understood a</p> <p>14 policy to be in place. This -- my question is a</p> <p>15 little more specific than that. This particular</p> <p>16 printed document that says Page 1, Page 2, Page 3</p> <p>17 with these headings and broken out exactly like</p> <p>18 this, have you seen this document?</p> <p>19 MR. MILLER: Object to the form.</p> <p>20 A. I don't recall.</p> <p>21 Q. Are you aware of whether this</p> <p>22 document was maintained at Dynamic Security?</p> <p>23 MR. REDMOND: Object to the form.</p> <p>050:01 A. A document was maintained at Dynamic</p> <p>02 Security referenced to the appearance standards</p> <p>03 for HMMA.</p> <p>04 Q. Okay. Where would that document have</p> <p>05 been maintained?</p> <p>06 A. In files that had to do with HMMA.</p> <p>07 It would have been a part of the interview</p> <p>08 process, so there would have been copies there</p> <p>09 when people did interviews so that we knew what</p> <p>10 the policy was and you could tell potential hires</p> <p>11 about the policy.</p> <p>12 Q. Would Dynamic Security provide a copy</p> <p>13 of that policy to new hires?</p> <p>14 A. I do not know.</p> <p>15 Q. Did you provide a copy of that policy</p> <p>16 to new hires?</p>

		<p>17 A. I do not recall. We definitely went</p> <p>18 over the policies with them.</p> <p>19 Q. Were you involved in Ms. Key's</p> <p>20 hiring?</p> <p>21 A. Probably.</p> <p>22 Q. Did you interview her?</p> <p>23 A. Probably. I interviewed hundreds and</p> <p>051:01 hundreds of people when I was there.</p> <p>02 Q. Do you recall going over this policy</p> <p>03 with Ms. Key?</p> <p>04 A. Again, probably. Specifically, I</p> <p>05 can't think, well, I was sitting over in this</p> <p>06 desk, and we talked about this and that. I don't</p> <p>07 know. I mean, I did this with everybody.</p> <p>08 I can tell you what I told everybody,</p> <p>09 which would have included Ms. Key, when it came</p> <p>10 to what the policy was at Hyundai. We always</p> <p>11 explained, because Hyundai was -- well, I'll just</p> <p>12 stop at that.</p> <p>13 Q. Please, continue. You always</p> <p>14 explained because Hyundai was what?</p> <p>15 MS. BROWN: Object to the form.</p> <p>16 A. Hyundai was -- had some very specific</p> <p>17 policies that they wanted to make sure that we</p> <p>18 provided people that would meet those policies.</p> <p>19 So -- and they were different than other places.</p>
11	052:22 - 053:19	<p>052:22 And Ms. Williams made -- I can tell</p> <p>23 you this for a fact. Ms. Williams made the final</p> <p>053:01 decision about who was accepted -- which</p> <p>02 hairstyle was acceptable, for instance, or which</p> <p>03 wasn't.</p> <p>04 Q. And if Ms. Key said that she did not</p> <p>05 interview with you, she went straight to Ms.</p> <p>06 Robinson and everything was handled there, would</p> <p>07 you have any reason to dispute that?</p> <p>08 A. I would not, because that did happen</p> <p>09 from time to time, really a good bit of the time,</p> <p>10 because we had plenty of sites that we had to</p> <p>11 supervise and hire for, and so sometimes Hyundai</p> <p>12 would do referrals within themselves, and they</p> <p>13 would do that.</p> <p>14 Of course, she would always let me</p>

		<p>15 know, because ultimately they had to come through</p> <p>16 our training at the office before they were hired</p> <p>17 fully. So we were still involved in that</p> <p>18 process, even if they started out there, and we</p> <p>19 would still be involved at some level.</p>
12	054:02 - 055:13	<p>054:02 Q. But can you tell me what you recall</p> <p>03 about Ms. Key's hiring?</p> <p>04 MS. BROWN: Object to the form.</p> <p>05 A. Well, there was a problem, as far as</p> <p>06 I understand it, going back and looking at some</p> <p>07 of the documents and remembering what was going</p> <p>08 on then, there was a problem with her hair. Ms.</p> <p>09 Williams asked us to remove her from the site</p> <p>10 because her hair did not meet the Hyundai</p> <p>11 standards.</p> <p>12 So we did bring her in, and I know</p> <p>13 Gloria Robinson tried to work with her to try to</p> <p>14 get the hairstyle the way it was supposed to be</p> <p>15 and that they had had conversations about this,</p> <p>16 even with Ms. Williams, to see what was -- what</p> <p>17 would be acceptable and what wouldn't.</p> <p>18 And then there were -- I mean,</p> <p>19 there's a statement from Gloria that kind of goes</p> <p>20 through all of that, explains in writing how that</p> <p>21 worked where Ms. Key was trying to get her hair</p> <p>22 in the proper respect for Hyundai, and then</p> <p>23 ultimately didn't.</p> <p>055:01 And the dispute got to the place</p> <p>02 where HMMA did not want her on the site. And,</p> <p>03 ultimately, in the security business, and this is</p> <p>04 across the board in any security company I've</p> <p>05 ever worked with, when the client says, Remove</p> <p>06 somebody from the site, that's what security</p> <p>07 companies do, period.</p> <p>08 And now, we can go back for our</p> <p>09 person to try to get them rehired, try to get --</p> <p>10 depending on what's going on, and in this</p> <p>11 situation, there was enough there. We did not</p> <p>12 fire her or remove her from Dynamic Security. We</p> <p>13 simply removed her from the Hyundai site.</p>
13	062:06 - 067:13	<p>062:06 Q. Are you aware of what the ultimate</p> <p>07 resolution was with regard to her removal from</p>

08 Hyundai?

09 A. She was removed --

10 MS. BROWN: Object to the form.

11 MR. MILLER: Object to the form.

12 A. She was removed from Hyundai at the  
13 client's request.

14 Q. Are you aware of whether there were  
15 any discussions between Dynamic and the client  
16 related to whether her removal was appropriate?

17 MS. BROWN: Object to the form.

18 MR. MILLER: Object to the form.

19 MR. REDMOND: Same objection to the  
20 form.

21 A. I'm going to answer it this way: The  
22 hair standards were -- everyone was very familiar  
23 with those hair standards and knew what the  
063:01 requirements were. Ms. Williams ultimately was  
02 the one that decided whether or not the hair was  
03 acceptable. Once it was not and she asked us to  
04 remove someone from the site, we did that.

05 We did not remove Ms. Key as a  
06 Dynamic employee. We offered her other  
07 positions. At the time we had no full-time  
08 positions on the shift that she wanted to work,  
09 and so we offered her two other positions at, I  
10 think, Mobis and Koch Foods.

11 I don't know specifically what times  
12 they were, but they were part-time positions, and  
13 she was not able to work those times, and left,  
14 quit on her own as far as I know.

15 Q. Why do you believe she quit?

16 A. Because we couldn't provide for her  
17 the schedule that she wanted and because -- well,  
18 because there was no position for her to work  
19 that she could agree to, that she would agree to.

20 Q. Let me ask it this way: What  
21 evidence do you have to support your position  
22 that Ms. Key quit?

23 MR. REDMOND: I'm going to object to  
064:01 the form of that.

02 A. The statements that I made in writing  
03 around that time that explained that she was  
04 offered those positions and refused them. When

05 you refuse a position, that's quitting.

06 Q. Have employees at Dynamic when you  
07 were employed there, did you ever have anyone  
08 turn down a position but accept a later position?

09 A. Sure.

10 Q. Okay.

11 A. And this is standard practice. If  
12 this -- when this happens, we told employees that  
13 if something comes open, you know, to come back  
14 and check with us in a couple of weeks, check  
15 with us in a month or two, because, as you know,  
16 security positions rotate considerably. People  
17 come in and out.

18 And so we would encourage a person to  
19 check back in with us to make sure, maybe we  
20 might have something that she could work.

21 Q. And if Ms. Key says that she did  
22 reach out to Dynamic and did not receive return  
23 calls, would you dispute that?

065:01 A. I would dispute that only as far as  
02 my situation is concerned. If she had reached  
03 out to me, I would definitely have spoken with  
04 her.

05 Now, again, I was only there for less  
06 than a month, I guess, or about a month after all  
07 this went down, and then I was let go. So I  
08 can't say what happened after around the first  
09 week in September when I was let go.

10 Q. If Ms. Key says that she was not  
11 offered any other jobs, including those two  
12 part-time jobs, would you dispute that?

13 A. I would.

14 Q. Okay. And if Ms. Key -- if Ms. Key  
15 says that she never told you she was unavailable  
16 for first shift, but instead said she preferred  
17 first shift, would you dispute that?

18 A. I would go with what I wrote in my  
19 paperwork, which I think says that we didn't have  
20 the first shift, which she wanted, is what I  
21 think is what's written in the documents, and I  
22 signed my name to it. So I would -- I will stand  
23 by my statements at the time.

066:01 Q. Okay. And I just want to make sure

		<p>02 we're not mincing words here. You said first</p> <p>03 shift is what she wanted. Is it your</p> <p>04 understanding that wanting first shift is the</p> <p>05 same as saying I can only work first shift?</p> <p>06 A. It's not the same. And, again,</p> <p>07 having done this for a while, I understand that</p> <p>08 people don't always get what they want, but they</p> <p>09 are willing to compromise and work elsewhere.</p> <p>10 If I put on the paperwork that she</p> <p>11 did not want to work those things, then that's --</p> <p>12 those other jobs that we offered part-time, if</p> <p>13 that's what I stated in my statement, then I'll</p> <p>14 stand by that.</p> <p>15 And that was normal. It was very</p> <p>16 normal for that to happen, not just at Hyundai,</p> <p>17 but in other places as well. Well, I can only</p> <p>18 work six hours on this day and five hours on this</p> <p>19 day, but I need somebody that's going to work,</p> <p>20 you know, all sixteen hours.</p> <p>21 Well, what can I do? You know, I've</p> <p>22 got to have the people work the hours that are</p> <p>23 required to work. So I offered what was</p> <p>067:01 available, and what was available, she declined</p> <p>02 those positions for whatever reason.</p> <p>03 Q. Do you remember how you offered her</p> <p>04 those? Was it in person or over the phone?</p> <p>05 A. I'm pretty sure it was in person, and</p> <p>06 I would have had a witness. I would have had an</p> <p>07 office manager there in this situation, too,</p> <p>08 because there's a lot of paperwork on this thing.</p> <p>09 So the time that I took to describe</p> <p>10 what was happening, I'm very careful with my</p> <p>11 words in writing, especially, about what I say,</p> <p>12 and I mean what I say. And so the statements are</p> <p>13 here, I'm sure, and that's what happened.</p>
14	069:22 - 071:01	<p>069:22 Q. And I want to point you to one, two,</p> <p>23 three, four, five paragraphs down. It looks like</p> <p>070:01 a single sentence. It says, The picture she</p> <p>02 showed us was acceptable, and she agreed to</p> <p>03 obtain that style. Do you see that?</p> <p>04 A. Yes.</p> <p>05 Q. Okay. Do you recognize this as Ms.</p>

		<p>06 Robinson saying that Ms. Key could have styled</p> <p>07 her hair in an approved way?</p> <p>08 MS. BROWN: Object to the form.</p> <p>09 MR. MILLER: Object to the form.</p> <p>10 MR. REDMOND: Object to form.</p> <p>11 Q. Let me ask it this way: Do you have</p> <p>12 any recollection about Ms. Key being approved to</p> <p>13 wear her locked hair in a bun or something</p> <p>14 similar to a bun?</p> <p>15 MS. BROWN: Object to the form.</p> <p>16 MR. MILLER: Object to the form.</p> <p>17 A. Okay. A couple of things. I never</p> <p>18 saw the picture they're talking about here. I</p> <p>19 know that for a fact.</p> <p>20 I do recall that there was some</p> <p>21 discussion about going to a hairdresser, about</p> <p>22 getting some changes made and wearing them in a</p> <p>23 certain style. That did take place between</p> <p>071:01 Gloria and Ms. Williams and Ms. Key.</p>
15	079:09 - 080:12	<p>079:09 Q. But that's what the e-mail says, she</p> <p>10 takes issue --</p> <p>11 A. That's not what it says.</p> <p>12 MS. BROWN: Object to the form.</p> <p>13 MR. MILLER: Object to the form.</p> <p>14 MR. REDMOND: Object to the form.</p> <p>15 A. That's open to question, and I would</p> <p>16 not in any way -- I can tell you right now that</p> <p>17 no one was ever looked at for leaving because</p> <p>18 they were pregnant, period, not under my watch,</p> <p>19 no matter what Ms. Robinson said.</p> <p>20 Q. What could Ms. Key have done</p> <p>21 different for Ms. Robinson to not be concerned</p> <p>22 with her working in the mailroom?</p> <p>23 MS. BROWN: Object to the form.</p> <p>080:01 MR. MILLER: Object to the form.</p> <p>02 MR. REDMOND: Same objection.</p> <p>03 A. I think Ms. Key followed the basic</p> <p>04 steps. I will say that -- and I'm not saying</p> <p>05 this about Ms. Key, but many times attitudes get</p> <p>06 involved, people don't listen to each other, and</p> <p>07 we're not always on the same page about things.</p> <p>08 So I don't know. I don't remember what happened</p>

		<p>09 specifically between Ms. Key other than what's on</p> <p>10 paper here.</p> <p>11 But I can tell you this: She would</p> <p>12 not have been let go for being pregnant.</p>
16	082:02 - 082:09	<p>082:02 Q. But she was ultimately removed from</p> <p>03 the Hyundai property, right?</p> <p>04 MS. BROWN: Object to the form.</p> <p>05 A. Ms. Key? You're talking about Ms.</p> <p>06 Key?</p> <p>07 Q. Yes, Ms. Key.</p> <p>08 A. She was ultimately removed at the</p> <p>09 client's request.</p>
17	082:19 - 083:06	<p>082:19 Q. And she's asking here to make sure</p> <p>20 there's a clear written policy from HMMA. Do you</p> <p>21 see that?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. So before she sent this</p> <p>083:01 e-mail, before Ms. Spires sent this e-mail, did</p> <p>02 Dynamic Security have a written policy from HMMA</p> <p>03 or HEA about hair?</p> <p>04 MS. BROWN: Object to the form.</p> <p>05 MR. MILLER: Object to the form.</p> <p>06 A. Yes.</p>
18	091:16 - 092:03	<p>091:16 Q. And is there any indication here that</p> <p>17 Ms. Key could not have physically handled the</p> <p>18 requirements of the mailroom at Hyundai?</p> <p>19 MS. BROWN: Object to the form.</p> <p>20 MR. MILLER: Object to the form.</p> <p>21 A. There is nothing that I've seen that</p> <p>22 says so. But also I'm going to add that that's</p> <p>23 irrelevant as far as Dynamic Security is</p> <p>092:01 concerned, because she was let go because Hyundai</p> <p>02 didn't want her on the site because of</p> <p>03 hairstyles.</p>
19	094:20 - 094:21	<p>094:20 A. I think, if that's the case. Again,</p> <p>21 I may be mistaken about that.</p>
20	095:04 - 095:22	<p>095:04 Q. (BY MS. PALMER:) So in this e-mail</p> <p>05 to Ms. Spires, what was the purpose of this</p> <p>06 e-mail? Let me ask it that way. What was the</p> <p>07 purpose of you sending this e-mail to Ms. Spires?</p> <p>08 A. Keeping HR informed about what was</p>



		<p>09 going on.</p> <p>10 Q. So would this have been the first</p> <p>11 e-mail that went out related to Ms. Key's</p> <p>12 complaint to HR?</p> <p>13 MR. MILLER: Object to the form.</p> <p>14 MS. BROWN: Object to the form.</p> <p>15 A. Concerning the official complaint, I</p> <p>16 would assume so, because it's August 1st.</p> <p>17 Q. Okay.</p> <p>18 A. Which is when this complaint is</p> <p>19 dated, and that same day, I would have sent it to</p> <p>20 HR.</p> <p>21 Q. Okay. And then the last sentence in</p> <p>22 that first paragraph, you say that you've</p>
21	096:01 - 096:03	<p>096:01 that she has no issues with Dynamic Security. Do</p> <p>02 you see that?</p> <p>03 A. Yes.</p>
22	097:14 - 100:09	<p>097:14 Q. Right, but you don't have any --</p> <p>15 A. I don't have any recall. I promise</p> <p>16 you I don't remember ever asking her that</p> <p>17 question.</p> <p>18 Q. Okay. The last two paragraphs or</p> <p>19 sentences there, you said, I can attempt to</p> <p>20 reassign Ms. Key to a different site, but I don't</p> <p>21 think that's advisable at this time, especially</p> <p>22 if she has to carry through -- especially if she</p> <p>23 is to carry through with the stated, quote,</p> <p>098:01 official complaint, end quote, of discrimination</p> <p>02 against Hyundai, Ms. Williams, and Ms. Robinson.</p> <p>03 Do you see that?</p> <p>04 A. I do.</p> <p>05 Q. So why would it not be advisable to</p> <p>06 reassign Ms. Key?</p> <p>07 MR. REDMOND: Object to form.</p> <p>08 A. Okay. The last question on this</p> <p>09 e-mail says, Any guidance or thoughts. So what I</p> <p>10 was doing was going to HR asking them to advise</p> <p>11 me on how to act or what to do next, what would</p> <p>12 be the best policy.</p> <p>13 I was concerned that if she was</p> <p>14 bringing forth the official complaint, what was</p> <p>15 the policy of Dynamic in reference to keeping a</p>

		<p>16 person working if they are going through the</p> <p>17 official complaint like this. That's all I was</p> <p>18 asking.</p> <p>19 I didn't have an opinion about it one</p> <p>20 way or the other, just trying to find out what</p> <p>21 Dynamic's policy was. Just I wondered does it</p> <p>22 make sense to keep somebody on. I'm wondering as</p> <p>23 a manager, asking my bosses, Does that make sense</p> <p>099:01 to keep somebody on who has an official complaint</p> <p>02 going? And they advised me, and I followed</p> <p>03 through with what they said.</p> <p>04 Q. As a manager that deals with that and</p> <p>05 just asking, you know --</p> <p>06 A. Yeah, yeah.</p> <p>07 Q. -- I wonder, did you have a leaning</p> <p>08 one way or the other as to whether you would</p> <p>09 think it was advisable or not?</p> <p>10 MR. REDMOND: You're talking about</p> <p>11 back then?</p> <p>12 MS. PALMER: Yes.</p> <p>13 A. Yes, back then. I would say I didn't</p> <p>14 know, and that's why I was asking the question.</p> <p>15 My personal leaning would have been to keep them</p> <p>16 on unless there's a material reason not to,</p> <p>17 because that's really what the policy boils down</p> <p>18 to.</p> <p>19 So this was a question just asked</p> <p>20 more out of curiosity than out of, you know, I'm</p> <p>21 planning on not doing anything with it, I'm going</p> <p>22 to get rid of her, no, that was not what was in</p> <p>23 my mind, I can guarantee that, or what I was</p> <p>100:01 thinking.</p> <p>02 I was just trying to figure out what</p> <p>03 Emmett was going to say, because I hadn't been</p> <p>04 involved in this situation where this kind of</p> <p>05 official complaint was being brought. So it's a</p> <p>06 way of asking the question.</p> <p>07 I probably could have asked it better</p> <p>08 than the way it sounds on the piece of paper, but</p> <p>09 that's all I was trying to get at.</p>
23	100:12 - 101:07	<p>100:12 You said something about unless there</p> <p>13 was a material reason not to. What can you think</p>

		<p>14 of that would be a material reason to not</p> <p>15 reassign somebody that had a complaint?</p> <p>16 A. You really like to ask questions that</p> <p>17 have --</p> <p>18 MR. REDMOND: Object to the form.</p> <p>19 A. -- other possibilities. Yeah, there</p> <p>20 probably aren't any real ones that anybody would</p> <p>21 follow through with. It's just a -- I'm just</p> <p>22 trying to -- there are reasons why someone would</p> <p>23 not continue in work if they violated our</p> <p>101:01 policies that they had agreed to or if they</p> <p>02 couldn't work a particular site, but not</p> <p>03 connected with the complaint. They don't connect</p> <p>04 it with the complaint.</p> <p>05 The complaint is never a reason to</p> <p>06 let somebody go, okay? Does that answer your</p> <p>07 question?</p>
24	101:23 - 103:06	<p>101:23 Q. It could be. When would it not be?</p> <p>102:01 A. I guess ultimately when it didn't</p> <p>02 happen. I mean, you could take somebody's word</p> <p>03 or somebody's statement or somebody's</p> <p>04 off-the-cuff remark or even a remark like this in</p> <p>05 this e-mail and make much more of it than it</p> <p>06 actually was. We did offer her other positions.</p> <p>07 Q. Did you offer --</p> <p>08 A. This is part of -- this is part of</p> <p>09 bringing everyone into the situation. So HR, who</p> <p>10 ultimately has responsibility for these things,</p> <p>11 can advise and give good advice in reference to</p> <p>12 this so that there's no question about what we do</p> <p>13 or how we operate.</p> <p>14 So I simply was asking a question of</p> <p>15 the HR manager about what it is we're going to</p> <p>16 do. So if I misunderstood something or -- I</p> <p>17 don't know. But anyway, it's immaterial</p> <p>18 basically, because it didn't happen.</p> <p>19 Q. So in response to your question for</p> <p>20 guidance or thoughts, do you recall what guidance</p> <p>21 or thoughts you received?</p> <p>22 A. There's probably an e-mail somewhere</p> <p>23 that gave me the guidance or thoughts.</p> <p>103:01 Ultimately, what we did was offered her at least</p>

		<p>02 two positions.</p> <p>03 Q. Did you offer her full-time</p> <p>04 positions?</p> <p>05 A. We didn't have any full-time</p> <p>06 positions available at the time.</p>
25	105:23 - 106:17	<p>105:23 Q. Well, no. The e-mail is from Ms.</p> <p>106:01 Williams, correct?</p> <p>02 A. Yes, it's from Ms. Williams.</p> <p>03 Q. So --</p> <p>04 A. Okay. So that Ms. Williams</p> <p>05 understood that Ms. Key was claiming that she was</p> <p>06 being discriminated against because she's</p> <p>07 pregnant? Is that what you're saying?</p> <p>08 MR. MILLER: Object to the form.</p> <p>09 MS. BROWN: Object to the form.</p> <p>10 Q. Yes.</p> <p>11 A. Yeah.</p> <p>12 Q. And is this the e-mail where Ms.</p> <p>13 Williams asks that Ms. Key be removed from the</p> <p>14 site?</p> <p>15 A. Yes.</p> <p>16 Q. And that was August 1st?</p> <p>17 A. Correct.</p>
26	107:23 - 108:02	<p>107:23 Q. And that's the same date we've been</p> <p>108:01 talking about on these e-mails?</p> <p>02 A. Yes, yes.</p>
27	110:10 - 111:11	<p>110:10 at the form wrong, so my apologies.</p> <p>11 Q. And then at the bottom there on both</p> <p>12 documents where you say can only work first</p> <p>13 shift, we've talked, I think, at length about</p> <p>14 that. Ms. Key says that her preference was first</p> <p>15 shift.</p> <p>16 Do you have any recollection of her</p> <p>17 saying, I cannot work anything but first shift?</p> <p>18 A. This, as I wrote here, was my</p> <p>19 understanding at the time, that she can only work</p> <p>20 first shift. So yes, this is what I understood</p> <p>21 at the time.</p> <p>22 Q. Okay. And if she -- if she had a</p> <p>23 different recollection of that conversation,</p> <p>111:01 would that be a pretty important dispute between</p> <p>02 the two of you?</p>

		<p>03 MR. REDMOND: Object to the form.</p> <p>04 MS. BROWN: Object to the form.</p> <p>05 MR. MILLER: Object to the form.</p> <p>06 A. I would stand by what I wrote on this</p> <p>07 piece of paper, because I do understand the</p> <p>08 difference between can and -- but we had no</p> <p>09 full-time positions available anywhere. But I</p> <p>10 put that down to explain my understanding that</p> <p>11 she could only work first shift.</p>
28	114:09 - 114:18	<p>114:09 Q. Let me ask it this way: Did you ask</p> <p>10 Ms. Key -- aside from that first meeting when she</p> <p>11 gave you her complaint, did you ask her if she</p> <p>12 had any problems with Dynamic Security?</p> <p>13 A. I don't recall if I asked her, but</p> <p>14 she repeatedly made the statement, obviously, in</p> <p>15 -- and I think in an attempt to reassure us that</p> <p>16 it wasn't about Dynamic Security here. Her</p> <p>17 complaint was not really Dynamic Security.</p> <p>18 That's how I would have interpreted that.</p>
29	116:01 - 116:07	<p>116:01 Q. Do you have any recollection of</p> <p>02 making a formal offer to Ms. Key for a first</p> <p>03 shift weekend part-time position at Koch?</p> <p>04 A. I actually believe that did take</p> <p>05 place, because I think I remember talking to</p> <p>06 Chris about this at that point. He was the guy</p> <p>07 that was in charge of Koch Foods.</p>
30	123:02 - 124:13	<p>123:02 Q. And so as of this e-mail, August</p> <p>03 29th, we're roughly twenty-nine days after she's</p> <p>04 been removed from Hyundai. Were the two offers</p> <p>05 in the refusal forms that we saw earlier the only</p> <p>06 positions that had been offered to her at that</p> <p>07 point that you can recall?</p> <p>08 MS. BROWN: Object to the form.</p> <p>09 A. Well, I can only recall them because</p> <p>10 I've got the paperwork, so we could have verbally</p> <p>11 -- we could have easily verbally talked to her</p> <p>12 about other things, but I don't know that we did.</p> <p>13 Q. If you had verbally offered her</p> <p>14 another position and she had turned it down,</p> <p>15 would you have completed an assignment refusal</p> <p>16 form?</p> <p>17 MS. BROWN: Object to the form.</p>

		<p>18 <b>MR. REDMOND:</b> Object to the form.</p> <p>19 <b>MR. MILLER:</b> Object to the form.</p> <p>20 A. Well, at the time that the situation</p> <p>21 was going on, things were pretty much in turmoil</p> <p>22 just across the branch, and there was -- thinking</p> <p>23 about it now, there were several other sites that</p> <p>124:01 needed immediate attention. So I may have been</p> <p>02 getting ready to do that, and then, like I said,</p> <p>03 the next week I was gone. So I can't -- they</p> <p>04 would be the standard policy to do that, yes.</p> <p>05 <b>Q.</b> Okay. And, again, Ms. Key says that</p> <p>06 she was not offered any positions. So you</p> <p>07 dispute that?</p> <p>08 A. Well, she was offered the two</p> <p>09 positions that are refused on the paperwork, but</p> <p>10 I don't know about any -- if she was offered</p> <p>11 anything else or not. As of the 14th, we didn't</p> <p>12 have anything else to offer her, and -- well, the</p> <p>13 paperwork speaks for itself.</p>
31	153:10 - 154:17	<p>153:10 <b>Q.</b> Just to follow up on something that</p> <p>11 Mr. Miller just asked about, was it also your</p> <p>12 testimony that the client would decide who was</p> <p>13 going to be assigned by Dynamic to the Hyundai</p> <p>14 facility?</p> <p>15 <b>MS. BROWN:</b> Object to the form.</p> <p>16 <b>MR. MILLER:</b> Object to the form.</p> <p>17 A. The client would decide whether</p> <p>18 someone's appearance was acceptable or not, and</p> <p>19 they would be -- there were specific positions</p> <p>20 that Ms. Williams would state whether or not the</p> <p>21 person was acceptable or not acceptable, like the</p> <p>22 mailroom, a position as a lieutenant or working</p> <p>23 in the -- the monitoring room. What did they</p> <p>154:01 call that position? She had to interview the</p> <p>02 people and sign off on their being up to speed</p> <p>03 for us to hire them for that -- those specific</p> <p>04 positions.</p> <p>05 <b>Q.</b> Let me show you what's already been</p> <p>06 put into evidence as Plaintiff's Exhibit 28. If</p> <p>07 you'll see, there's a date on the bottom. Can</p> <p>08 you read for us what that date is?</p> <p>09 A. My date that I --</p>

		<p>10 Q. Yes.</p> <p>11 A. 1 August 2017.</p> <p>12 Q. What does that date represent? Is it</p> <p>13 the date the position was offered, the date you</p> <p>14 filled out the form or both?</p> <p>15 A. In this case it would have been both.</p> <p>16 But, again, that's -- this all was -- yeah, it</p> <p>17 would have been both. In this particular --</p>
32	155:14 - 157:21	<p>155:14 Q. All right. Let me show you starting</p> <p>15 with the last one, which is Exhibit 45, which is</p> <p>16 an e-mail that you sent to Sherry Spires on</p> <p>17 August the 29th.</p> <p>18 A. Okay.</p> <p>19 Q. If you look at the bottom, at the end</p> <p>20 of that e-mail, the paragraph or sentence that</p> <p>21 starts out FYI?</p> <p>22 A. Uh-huh (positive response).</p> <p>23 Q. You refer to her complaint as being a</p> <p>156:01 complaint of what?</p> <p>02 A. A complaint of discrimination against</p> <p>03 HMMA, Ms. Williams, and Gloria Robinson.</p> <p>04 Q. All right. And when you're</p> <p>05 referencing that complaint, are you talking about</p> <p>06 Exhibit 29 here?</p> <p>07 A. That is correct.</p> <p>08 Q. Okay. And on Exhibit 40, which is</p> <p>09 another e-mail from you, if you'll look again at</p> <p>10 the last sentence, last paragraph, you also make</p> <p>11 a reference to her complaint there. Do you see</p> <p>12 that?</p> <p>13 A. Yes, the official complaint of</p> <p>14 discrimination against Hyundai, Ms. Williams, and</p> <p>15 Ms. Robinson.</p> <p>16 Q. Yes. And you were reading as what it</p> <p>17 says there, how you characterize the complaint</p> <p>18 that Ms. Key had?</p> <p>19 A. That is correct.</p> <p>20 Q. Correct?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And, again, are you referring to</p> <p>23 Exhibit 29 here?</p> <p>157:01 A. Yes, sir.</p>

		<p>02 Q. Okay. And do you recall earlier</p> <p>03 today when you were shown Exhibit 29, you</p> <p>04 referred to this as a complaint of</p> <p>05 discrimination? Do you remember having said</p> <p>06 that?</p> <p>07 A. That's correct.</p> <p>08 Q. All right. And would that be a</p> <p>09 correct characterization of what this is, is it's</p> <p>10 a complaint of discrimination?</p> <p>11 A. That's what Ms. Key was doing.</p> <p>12 Q. The reason I asked that is at some</p> <p>13 point today, you said something about a complaint</p> <p>14 of harassment. You understand the difference</p> <p>15 between harassment and discrimination?</p> <p>16 A. I do.</p> <p>17 Q. All right. And having looked at</p> <p>18 those e-mails, et cetera, would it be more</p> <p>19 accurate to describe Ms. Key's complaint as one</p> <p>20 of discrimination as opposed to harassment?</p> <p>21 A. That is correct.</p>
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